

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,)	
)	
Plaintiff(s),)	
)	2:10-cr-121-RLH-RJJ
vs.)	
)	MINUTES OF THE COURT
BRETT DEPUE,)	
)	February 10, 2012
Defendant(s).)	
_____)	

THE HONORABLE ROGER L. HUNT UNITED STATES DISTRICT JUDGE
COURTROOM ADMINISTRATOR KANDY CAPOZZI COURT REPORTER HEATHER NEWMAN
COUNSEL FOR PLAINTIFF(S) BRIAN PUGH; SARAH GRISWOLD

COUNSEL FOR DEFENDANT(S) BRETT DEPUE (pro se); MACE YAMPOLSKY (standby)

MINUTES OF PROCEEDINGS: **JURY TRIAL (Day Five)**

The Court convenes at 10:40 a.m. Defendant is present. FBI agent Steven Konrad is present with the Government.

OUTSIDE THE PRESENCE OF THE JURY: IT IS HEREBY ORDERED Mr. Yampolsky's Motion for Reconsideration (#123) is denied. The Motion was filed without the permission of Mr. Depue and without notice to Mr. Depue. Further, the Court has seen nothing during the course of the trial that would substantiate the concerns raised in the motion regarding Mr. Depue's psychological incompetence.

Mr. Depue affirms that his desire to represent himself has not changed.

The jury enters at 10:47 a.m.

Samuel Cordoso, remaining under oath, resumes the stand and examination concludes. The witness is cross-examined and excused.

Ms. Griswold calls **RICHARD ANDREWS** to the stand. The witness is sworn, examined, cross examined and excused.

Mr. Pugh calls **BRIAN LEE BARNEY** to the stand. The witness is sworn and examination commences.

The Court recesses from 12:27 p.m. to 1:01 p.m.

The examination of **Mr. Barney** concludes. Mr. Depue cross-examines the witness. Following redirect examination, the witness is excused.

Ms. Griswold calls **IRMA MARIE VALDEZ** to the stand. The witness is sworn, examined, cross-examined and excused.

Mr. Pugh calls **ANGELICA KIMBER** to the stand. The witness is sworn and examination commences.

IT IS HEREBY ORDERED the trial in this matter shall continue MONDAY, FEBRUARY 13, 2012 at 8:30 a.m.

The jury is admonished and the Court adjourns at 3:00 p.m.

LANCE S. WILSON, CLERK
U.S. DISTRICT COURT

BY: /s/ Kandy Capozzi
Courtroom Administrator